

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

W & W FIBERGLASS TANK CO

CIVIL ACTION NO. 22-cv-5837

VERSUS

JUDGE DONALD E. WALTER

REED INDUSTRIAL SYSTEMS, LLC

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

W&W Fiberglass Tank Company filed this civil action based on an assertion of diversity jurisdiction, which puts the burden on it to set forth specific allegations that show complete diversity of citizenship of the parties and an amount in controversy over \$75,000. The allegations in the complaint are sufficient as to W&W's citizenship and the amount in controversy. More information is needed as to the citizenship of defendant Reed Industrial Systems, LLC.


The citizenship of an LLC such as Reed Industrial is determined by the citizenship of its members. Harvey v. Grey Wolf Drilling Co., 542 F.3d 1077 (5th Cir. 2008). "A party seeking to establish diversity jurisdiction must specifically allege the citizenship of every member of every LLC or partnership involved in a litigation." Settlement Funding, L.L.C. v. Rapid Settlements, Ltd., 851 F.3d 530, 536 (5th Cir. 2017). If the members are themselves partnerships, LLCs, corporations or other form of entity, their citizenship must be alleged in accordance with the rules applicable to that entity, and the citizenship must be traced through however many layers of members or partners there may be. Mullins v. TestAmerica Inc., 564 F.3d 386, 397-98 (5th Cir. 2009); Rodidaco, Inc. v. Chesapeake

Energy Louisiana Corp. 2018 WL 3551525 (W.D. La. 2018). Paragraph 2 of the complaint alleges that the defendant LLC's "member(s) upon information and belief is a citizen of Louisiana domiciled in Louisiana." As explained above, more specificity about the member(s) is required.

The court recognizes that W&W may not have the necessary information about Reed Industrial Systems, LLC to provide the necessary citizenship information. Accordingly, **Reed Industrial Systems, LLC is ordered to include in its answer or other initial filing specific allegations as to the identity and citizenship of its members on the day this civil action commenced.**

Effective December 1, 2022, Federal Rule of Civil Procedure 7.1 will require all parties in diversity cases to file a disclosure statement at the time of their first appearance and identify the citizenship of every individual or entity whose citizenship is attributed to the party. This court has always required such information be specified in the record to ascertain jurisdiction, and that policy will soon be mandated by rule.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 8th day of November, 2022.



Mark L. Hornsby
U.S. Magistrate Judge